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PATENT
Attorney Docket No. MSU-06787

JAN 05 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: James Tiedje *et al.*
Serial No.: 10/073,464 Group No.: 1634
Filed: 02/11/2002 Examiner: Johannsen, D.B.
Entitled: Methods For Microbial Identification Based On DNA-DNA Hybridization

AMENDMENT TRANSMITTAL

Centralized Facsimile 703/872-9306
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. § 1.8(a)(1)(i)(B)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being transmitted by facsimile to the Patent and Trademark Office.

Dated: January 5, 2005

By:

Christine A. Lekutis

Sir or Madam

Transmitted herewith is an Amendment and Response (8 pages) to the Final Office Action mailed November 5, 2004, and a Transmittal in duplicate (2 pages) for this application. The fee has been calculated as shown below.

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE	ADDITIONAL FEE
Total Claims	15	—	21	0	×	18.00	\$0.00
Independent Claims	2	—	3	0	×	88.00	\$0.00

TOTAL DUE 0.00

- No additional fee is required.
- Please charge any additional fees, including any fees necessary for extensions of time, or credit overpayment to Deposit Account No. 08-1290. An originally executed duplicate of this transmittal is enclosed for this purpose.

Dated: January 5, 2005

By:

Christine A. Lekutis
Registration No. 51,934

MEDLEN & CARROLL, LLP
101 Howard Street, Suite 350
San Francisco, California 94105
415/904-6500

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Group No.: 1634

Filed: 02/11/2002

Examiner: Johannsen, D.B.

Entitled: **Methods For Microbial Identification Based On DNA-DNA
Hybridization**

**RESPONSE TO FINAL OFFICE ACTION
MAILED NOVEMBER 5, 2004**

Centralized Facsimile 703/872-9306

Commissioner for Patents

P.O. Box 1450

Arlington, VA 22313-1450

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Wednesday, January 05, 2005.

By: _____



Christine A. Lekutis

Dear Madam;

Please enter the following on the record in response to the above-cited Final Office Action mailed November 5, 2004. Amendments to the claims are reflected in the listing of claims beginning on page 2 of this paper. In addition, remarks and arguments begin on page 5 of this paper.